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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

ROBERT SHEREZ,

Plaintiff,

vs.

STATE OF HAWAII
DEPARTMENT OF EDUCATION;
PATRICIA HAMAMOTO,
Superintendent of Hawai'i Schools,
MEREDITH MAEDA, Principal,
Castle High School; SARA
GRONNER OR GRONNA, Vice
Principal of Castle High School,

Defendants.

CIVIL NO. 04-00390 JMS-KSC

DEFENDANTS' MOTION TO
QUASH SUBPOENAS AND/OR
FOR PROTECTIVE ORDER FOR
SUBPOENAS ISSUED TO
RICHARD FURMARK AND IRA
ILSON; MEMORANDUM IN
SUPPORT OF MOTION;
DECLARATION OF NELSON Y.
NABETA; EXHIBITS "A"- "D";
CERTIFICATE OF SERVICE

Trial: March 28, 2007

Judge: Hon. J. Michael Seabright

DEFENDANTS' MOTION TO QUASH SUBPOENAS
AND/OR FOR PROTECTIVE ORDER FOR SUBPOENAS
ISSUED TO RICHARD FURMARK AND IRA ILSON

COMES NOW, Defendants STATE OF HAWAI'I, DEPARTMENT OF EDUCATION, PATRICIA HAMAMOTO in her official capacity, MEREDITH MAEDA in his individual and official capacity, and SARAH GRONNA in her individual and official capacity (hereinafter referred to collectively as "Defendants"), by and through their undersigned attorneys, hereby requests the Court quash the subpoenas issued to Richard Furmark and Ira Ilson on March 9, 2007, directing them to appear and to testify and produce documents at the trial in the above-captioned matter on March 30, 2007, and/or for a protective order relating to the subpoenas.

This motion is based upon the belief the information and documents being requested in the subpoenas are not relevant, burdensome, oppressive, and improper. This motion is made pursuant to Rules 26(c) and 45 of the Federal Rules of Civil Procedure ("FRCP") and Rule 7.2 of the Local Rules of Practice for the United States District Court for the District of Hawai'i, and is supported by the attached memorandum, declaration, and the records and files herein.

DATED: Honolulu, Hawai'i, March 30, 2007.

/s/ NELSON Y. NABETA

NELSON Y. NABETA
Deputy Attorney General